

Exh # 8

SPECIAL PROCLAMATION

ESTABLISHMENT OF AN INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST

WHEREAS, the United States and the Nations allied therewith
in opposing the illegal wars of aggression of the Axis Nations,
have from time to time made declarations of their intentions
that war criminals should be brought to justice;

WHEREAS, the Governments of the Allied powers at war
with Japan on the 26th July 1945 at Potsdam, declared as one
of the terms of surrender that stern justice shall be meted out
to all war criminals including those who have visited cruelties
upon our prisoners;

WHEREAS, by the Instrument of Surrender of Japan executed
at Tokyo, Bay, Japan, on the 2nd September 1945, the signatories
for Japan, by command of and in behalf of the Emperor and the
Japanese Government accepted the terms set forth in such
Declaration at Potsdam;

WHEREAS, by such Instrument of Surrender, the authority
of the Emperor and the Japanese Government to rule the state
of Japan is made subject to the Supreme Commander for the Allied
powers, who is authorized to take such steps as he deems proper
to effectuate the terms of surrender;

WHEREAS, the undersigned has been designated by the Allied
Powers as Supreme Commander for the Allied Powers to carry
into effect the general surrender of the Japanese armed forces;

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RETURN TO ROOM 361

WHEREAS, the Governments of the United States, Great Britain and Russia at the Moscow Conference, 26th December 1945, having considered the effectuation by Japan of the Terms of Surrender, with the concurrence of China have agreed that the Supreme Commander shall issue all orders for the implementation of the Terms of Surrender.

NOW, THEREFORE, I, Douglas MacArthur, as Supreme Commander for the Allied Powers, by virtue of authority so conferred upon me, in order to implement the Terms of Surrender which requires the meting out of stern justice to war criminals, do order and provide as follows:

ARTICLE 1. There shall be established an International Military Tribunal for the Far East for the trial of those persons charged individually, or members of organizations, or in both capacities, with offenses which include crimes against peace.

ARTICLE 2. The Constitution, jurisdiction and functions of this Tribunal are those set forth in the charter of the International Military Tribunal for the Far East, approved by me this day.

ARTICLE 3. Nothing in this Order shall prejudice the jurisdiction of any other international, national or occupation court, commission or other tribunal established or to be

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- 3 -

established in Japan or in any territory of a United
Nation with which Japan has been at war, for the trial
of war criminals.

Given under my hand at Tokyo, this 19th day of
January, 1946

DOUGLAS MACARTHUR
General of the Army, United States Army
Supreme Commander for the Allied Powers